

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

LOUIS BENISH

**Criminal No. 07-0316
ELECTRONICALLY FILED**

Order of Court

Pending before this Court is defendant's motion to terminate electronically monitored home detention as a condition of probation (doc. no. 21). On December 14, 2007, this Court sentenced defendant to a term of three years of probation with six months of electronically monitored home detention after pleading guilty to a charge of conspiracy under 18 U.S.C. § 371. Defendant now seeks to have the electronic monitoring portion of his sentence suspended because his workers' compensation benefits have been suspended based upon his sentence. The Court will DENY defendant's motion as the Court is without authority to modify the terms of probation because the judgment of conviction is a final judgment and defendant's request does not fall within one of the enumerated narrow circumstances under 18 U.S.C. § 3562(b).

SO ORDERED this 26th day of February, 2008.

s/Arthur J. Schwab

Arthur J. Schwab
United States District Judge

cc: All Registered ECF Counsel and Parties